

1982 WL 189290 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 12, 1982

\*1 Deputy Nathaniel Truesdale  
Richland County Sheriff's Department  
1400 Huger Street  
Columbia, SC 29202

Dear Deputy Truesdale:

You have requested that we advise you as to whether a deputy sheriff may issue a uniform traffic ticket in a public disorderly conduct case. Previously, we have advised that a state highway patrolman need not obtain an arrest warrant upon arresting a person for that offense and may issue a uniform traffic ticket instead. See, Opinion No. 4518, 1976 Op. Atty. Gen. 380.

Public disorderly conduct is proscribed by [Section 16-17-530 of the South Carolina Code](#) of Laws (1976), and it is, in part, traffic related. Assuming that the Department of Highways and Public Transportation, with the approval of the Attorney General, has designed a uniform traffic ticket pursuant to [Section 56-7-10 of the Code](#) that provides for the issuance of such a ticket for the offense of public disorderly conduct as one of several designated offenses for which the ticket can be used, a deputy sheriff need not obtain an arrest warrant upon arresting a person for that offense and issuing, a uniform traffic ticket to him. Such a ticket would provide the traffic court with jurisdiction to hear and dispose of the charge.

Best wishes,

C. Tolbert Goolsby, Jr.  
Deputy Attorney General

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